

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

William M. Wolffe,

Plaintiff,

v.

John Does 1-10,

Defendants.

Civil Action No. 9:12-2907-SB

ORDER

This matter is before the Court upon the Plaintiff's *pro se* complaint alleging a violation of his constitutional rights pursuant to 42 U.S.C. § 1983. Pursuant to Local Rule 73.02(B)(2)(a), this matter was referred to a United States Magistrate Judge for preliminary review.

On December 7, 2012, the Magistrate Judge issued a report and recommendation ("R&R") outlining the issues and determining that the pleadings fail to identify the Defendants or provide any specific factual information regarding how the Defendants violated the Plaintiff's constitutional rights. Accordingly, the Magistrate Judge recommended that the Court summarily dismiss this action without prejudice and without service of process. Attached to the R&R was a notice advising the Plaintiff of his right to file written objections to the R&R within fourteen days of receiving a copy. To date, however, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Mathews v. Weber, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the R&R to which

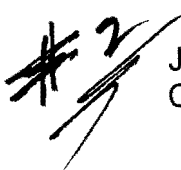
specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.' ") (quoting Fed. R. Civ. P. 72 advisory committee's note).

Here, no objections have been filed. Therefore, the Court has reviewed the record, the applicable law, and the Magistrate Judge's recommendations for clear error. Finding none, the Court hereby adopts the R&R (Entry 15) as the Order of the Court, and it is

ORDERED that the Plaintiff's complaint is dismissed without prejudice and without service of process.

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

 January 8, 2013
Charleston, South Carolina